

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

AHMED AL-MENHALI, et al.,)	CASE NO. 17-cv-01089-SO
)	
Plaintiffs,)	JUDGE SOLOMON OLIVER, JR.
)	MAGISTRATE JUDGE THOMAS M.
-vs-)	PARKER
)	
MARRIOTT INTERNATIONAL INC.,)	<u>DEFENDANTS' JOINT MOTION IN</u>
et al.)	<u>LIMINE REGARDING MEDIA</u>
)	<u>COVERAGE</u>
Defendants.)	
)	

This matter is scheduled for trial on June 24, 2019. Defendants Marriott International, Inc., Inn on the River's Edge, LP, Laura Acton-Bell and Alexis Silva, respectfully request an Order *in limine* prohibiting any introduction or reference to evidence of television coverage, newspaper and/or internet articles regarding the incident at issue in this matter.

This incident occurred on or about June 29, 2016. The media provided some coverage of the incident in the form of news articles, television and internet articles. Defendants were granted summary judgment as to Plaintiffs' claims of making false alarm, intentional infliction of emotional distress, false light invasion of privacy, defamation and negligent hiring. The media coverage may have been relevant to Plaintiffs' claims of defamation and false light invasion of privacy. As those claims have been dismissed via summary judgment, evidence regarding any media coverage is no longer relevant and must be excluded.

Evidence regarding media coverage is not relevant or probative as to the remaining claims which are discrimination, negligent supervision, negligent infliction of emotional distress,

negligence, *respondeat superior* and loss of consortium. Publication of statements and/or media coverage may have been relevant to the claims of false light invasion of privacy and/or defamation. However, the alleged making of statements about Plaintiff, the incident or other media coverage is not an element of any of the remaining claims. Any attempt to introduce evidence of media coverage would be an attempt by Plaintiffs to present evidence of claims that have been disposed of via summary judgment.

Additionally, Plaintiff has not identified any of the authors of articles or reporters who may have covered this incident as witnesses. Obviously, such authors have no personal knowledge of the incident. The articles or other media coverage constitute impermissible hearsay evidence.

Finally, the probative value, if any at all, of evidence of the media coverage would be substantially outweighed by the danger of unfair prejudice, confusion of issues and misleading the jury. There is no evidence that Defendants made any statements to the media about Plaintiff or about this incident. Even if there was such evidence, all claims involving statements made by Defendants about Plaintiff or about this incident have been disposed via summary judgment. It would be unfairly prejudicial, confusing as to the remaining issues and misleading to the jury if Plaintiffs were permitted to put on evidence or make any reference to news coverage or other media coverage of this matter.

Therefore, all Defendants jointly request an Order, *in limine*, to exclude all evidence of and reference to any and all media coverage of this incident at the upcoming trial.

Respectfully submitted,

/s/ Patrick M. Roche

Patrick M. Roche (0071359)
Collins, Roche, Utley & Garner, LLC
875 Westpoint Drive, Suite 500
Cleveland, Ohio 44145
Phone: (216) 916-7730; Fax: (216) 916-7725
E-mail: pmroche@cruglaw.com
Attorneys for Defendants
Marriott International, Inc., Marriott Hotel Services, Inn on the River's Edge, LP, Fairfield Inn & Suites Avon

Respectfully submitted,

/s/ Kristen E. Campbell Traub

Craig G. Pelini (0019221)
Kristen E. Campbell Traub (0066452)
Pelini, Campbell, & Williams, LLC
8040 Cleveland Avenue NW – Suite 400
North Canton, OH 44720
Phone: (330) 305-6400
Facsimile: (330) 305-0042
Counsel for Defendants
Alexis Silva and Laura Acton-Bell

CERTIFICATE OF SERVICE

A copy of the foregoing has been provided to all parties, by the court's e-filing system this 10th day of June, 2019.

- **Kristen E. Campbell**
kec@pelini-law.com,kmacrides@pelini-law.com
- **Sarah J. Gelsomino**
sgelsomino@f-glaw.com,cmccardle@f-glaw.com,mmacala@f-glaw.com
- **Terry H. Gilbert**
tgilbert@f-glaw.com,cmccardle@f-glaw.com,mmacala@f-glaw.com
- **Jacqueline C. Greene**
jgreenec@f-glaw.com,cmccardle@f-glaw.com,mmacala@f-glaw.com
- **Craig G Pelini**
cgp@pelini-law.com,hmckrill@pelini-law.com,kbutler@pelini-law.com
- **James M. Popson**
jpopson@sutter-law.com,bday@sutter-law.com

/s/ Patrick M. Roche

PATRICK M. ROCHE (0071359)

Attorneys for Defendants

*Marriott International, Inc., Marriott Hotel
Services, Inn on the River's Edge, LP, Fairfield
Inn & Suites Avon*